

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

FORTRESS CREDIT OPPORTUNITIES I, LP and  
FORTRESS CREDIT OPPORTUNITIES II, LP

SUMMONS IN A CIVIL ACTION

V.

WAYNE C. COLEMAN, THE ROYALTY  
COMPLIANCE ORGANIZATION and MOSS  
ADAMS LLP

CASE NUMBER **07 CIV 7369**

**JUDGE BAER**

TO: (Name and address of Defendant)

Moss Adams LLP  
999 Third Avenue, Suite 3300  
Seattle, WA 98104

The Royalty Compliance Organization  
1288 Jungermann Road, Suite A  
St. Peters, MO 63376

Wayne C. Coleman  
1288 Jungermann Road, Suite A  
St. Peters, MO 63376

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael C. Harwood  
Kasowitz, Benson, Torres & Friedman LLP  
1633 Broadway  
New York, NY 10019

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

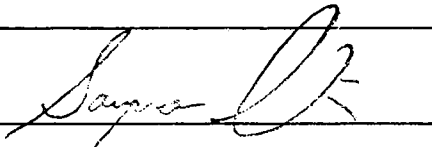
J. MICHAEL McMAHON

AUG 17 2007

CLERK

DATE

(By) DEPUTY CLERK



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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p> <div style="margin-top: 20px;"> <p><i>8/22/2007</i></p> <p><i>Service Accepted &amp; Acknowledged on behalf of Defendant Moss Adams LLP by Thomas R. Manisero (TRM-8548) Wilson, Elser, Moskowitz, Edelman &amp; Dicker LLP</i></p> <p><i>[Signature]</i></p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## **Wilson Elser**

Wilson Elser Moskowitz Edelman & Dicker LLP

### **Thomas R. Manisero**

Attorney at Law

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